



Deval L. Patrick
Governor

The Commonwealth of Massachusetts

Department of Public Safety

One Ashburton Place, Room 1301

Boston, Massachusetts 02108-1618

Phone (617) 727-3200

Fax (617) 727-5732

TTY (617) 727-0019

www.mass.gov/dps

Andrea J. Cabral
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Minutes

Bureau of Pipefitters, Refrigeration Technicians and Sprinklerfitters

Public Hearing – Pipefitting Regulations

One Ashburton Place, Boston, MA 02108

October 31, 2014, at 10:00 a.m.

1. This meeting was opened by Chief Ed Kawa, Chairman of the Bureau of Pipefitters, Refrigeration Technicians and Sprinklerfitters, at 10:00 AM. The Chairman asked that Bureau members identify themselves, and whom they represent.

Board Members Present:

Edward Kawa, Chairman
William Gallagher, Refrigeration Technician
Jennifer Revill, Public Representative
Pauline Lally, User Member
John Viola, Sprinkler Contractor
Dan Dumont, New England Mech. Contractors
Michael Torchio, Mechanical Engineer
Mark Fortune, Sprinklerfitters (arrived at 10:10)
Leo Fahey, Pipefitters (arrived at 10:10)
Brian Kelly, Pipefitters (arrived at 10:10)

Scott King, NE Orbital
Edward Lamoureux
Brett LaPlante, Local 51
Barbara Lagergren, Gould Construction
Wayne Thomas, DPL
Molly Conneely, Legal Intern
Thomas Theroux, PHEE of MA
John Bartley, TIAC
Tom McGrath, Pipefitters 537
Stephen Roche, Esquire
Richard Carter, Local 12
Tim Fandel, Local 12
Jennifer Collette, LEWAPT
Beth McLaughlin, DPS
Daniel Kilburn, DPS
Henry Geryk, DPS
Carrie Torrisi, DPS
Cesar Lastra, DPS
Holly Bartlett, DPS

Board Members Not Present:

Frank Norton

Guests Present:

Chuck Borstel, ABC
John Rich, ABC
Doug Neveu, Notch Mechanical
Steven Neveu, Notch Mechanical
Kristin Monfette, Notch Mechanical

2. Chairman Kawa explained that this hearing is being convened pursuant to M.G.L. Chapter 30A, Section 2, and M.G.L. Chapter 146, Section 82; the Chairman thanked all present for attending. The purpose of this meeting is to offer any interested person or group opportunity to comment on proposed changes to the Bureau's regulations; this is not a question and answer period, and this is not a debate. Anyone wishing to address the bureau should raise their hand and be recognized by the Chairman, and proceed to offer comment, limited to the language of the proposal, and to identify the specific section of the regulation if opposing the language. After this meeting, written comments may be submitted to DPS,

attention Holly Bartlett, for review by the Bureau at the next meeting; such comments must be received by Wednesday, November 5, 2014.

3. The following attendees addressed this meeting with input/concerns:

- a. Chuck Borstel, Associated Builders and Contractors, Massachusetts Chapter, addressed the Bureau, stating that they represent over 400 members in the construction trade, and oversee a training program; Mr. Borstel submitted written comments outlining concerns with the following areas of the regulation:
 - Over-restrictive Welding licensing
 - Extending Division of Apprentice Standards (DAS) requirements to all apprentices
 - Fabrication work done in shop and on-site
 - The definition of process piping to include Normal and Category D fluids
- b. John Rich, Associated Builders and Constructors, oversees apprentice program:
 - Training ratios: Mr. Rich pointed out that the vocational schools currently cannot meet the training demand for trade skills. The 5-1 ratio, 5 journeymen working with each apprentice, is restrictive; historically 1-1 has been acceptable.
 - DAS, or DAT, originally was to monitor trade training, could be moving more towards a controlling position.
- c. Steven Neveu, Notch Mechanical Constructors:
 - Background about Notch: second generation family-run mechanical company located in the western part of Massachusetts, doing primarily industrial installation work, as opposed to commercial; Notch has plumbing and pipefitting apprenticeship programs.
 - This regulation will put Mass companies at a disadvantage.
 - This will restrict co-op training and entry level employment opportunities.
 - Overall cost of building and maintaining industrial facilities will increase.
 - It can be anticipated that there will be a shortage of skilled trade workers, especially given the state of the economy.
 - Expansion of the scope of pipefitting to include shop fabrication: the new definition on page 3 of the regulation, and the scope of pipefitter classification on pages 8 and 9, now includes the words 'and includes fabrication', which was not previously part of the language of the statute. Mr. Neveu pointed out the differences between field work and the much more controlled in-shop fabrication, noting that the new apprenticeship requirements for in shop fabrication will result in the need to employ 'over qualified' pipefitters to meet the ration requirement. And co-op trade students from the local vocational schools will no longer be able to train in the Notch facility.
 - The requirement of process-piping apprentices to be registered with DAS; historically process piping is a private-industry type of work.
 - The pre-fab work being done in the sprinkler industry is not being addressed by this regulation, which is a double-standard.
 - Other states have manufacturing cost structure for fabrication shops, making Massachusetts fabrication companies no longer competitive.
- d. Doug Neveu, Notch Mechanical:
 - Pipe welding is a sub-tier skill from pipefitting, and should remain as a separate license, without requiring all those who do pipe welding work to become pipefitters.
 - Granting pipefitting licenses to current pipe welding would be dangerous.
 - Adding licensure for pipe welding separate from pipefitting would facilitate reciprocity.
- e. Kristin Monfette, Notch Mechanical:
 - There is a shortage of licensed pipe welders and pipefitters; Notch has partnered with the local vocational schools and developed interest and training opportunities in the pipefitting trade.
 - There is excitement amongst students about this trade

- f. Edward Lamoureux, Resident, Town of Hampden, MA, worked in process and power industries; is offering comment on 528 as a private citizen:
- The proposed changes make no material impact on public safety
 - There are already codes and auditing processes in place to ensure safety
 - The financial impact on small businesses would be negative

*The Chairman asked that any interested parties who plan to submit written comments on this matter please identify specific sections of the regulation about which their comments refer.

4. **With no additional parties seeking to be heard, the Chairman announced that this hearing was concluded at 10:55 AM.**